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SIPDIS

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TAGS: [PHUM](#) [PREL](#) [PGOV](#) [BL](#)
SUBJECT: BOLIVIA: IS EVO TURNING TO ILLEGAL ARRESTS?

Classified By: Acting EcoPol Chief Brian Quigley reasons 1.4 b and d.

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Summary
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¶1. (C) Without an arrest warrant, six police officials abducted, transported to La Paz, and incarcerated pro-Sucre (anti-government) activist Roberto Lenin Sandoval Lopez on June 2. Sandoval, his wife, and daughter were injured in the arrest. The government appeared to initially deny the action, but witnesses noted that Sandoval was taken away in a government vehicle and that his abductors were wearing police uniforms. By the evening, Minister of Government Alfredo Rada admitted that Sandoval had been detained. Rada explained that prosecutors would be filing charges of contempt, terrorism, organized crime, and attempted murder against him within hours. Opposition leaders in Sucre argue that Sandoval's arrest is but the latest in a string of actions meant to intimidate them and undermine their candidate for the Chuquisaca prefect (governor). Bolivian law requires an arrest warrant before an apprehension, a point that Bolivia's human rights ombudsman Waldo Albarracin emphasized when learning about the incident. When, in a similar case in January 1997, Albarracin was abducted, tortured, and later discovered in a police jail cell with serious wounds all over his body, Bolivia's chief of police was fired within 48 hours. So far there is no indication that any high-ranking officials will lose their jobs over the Sandoval detention. End Summary.

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The Arrest
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¶2. (C) Around 8:15 AM June 2, pro-Sucre (anti-government) activist Roberto Lenin Sandoval Lopez was abducted by six or more government officials (at least two were hooded). He was later transported to El Alto and incarcerated in a police facility. Sucre government's Secretary General Tommy Duran told Emboff that Sandoval was detained near his home in the presence of his wife and daughter. Sandoval resisted his detention and requested to see a detention order (arrest warrant). According to news reports and Embassy contacts,

the men who detained Sandoval never provided the requisite court order. (Note: In Bolivia an arrest warrant is required before someone can be apprehended. In addition, it is illegal for arresting officers to have their faces and heads hidden during an arrest. End Note). Public and private sources state that Sandoval, his wife, and daughter were all beaten during the arrest. Duran explained that witnesses took down the license plates of the two vehicles used in Sandoval's apprehension and later identified one as belonging to the Ministry of Government (the civilian authority that oversees the Bolivian National Police). Duran claims that Sandoval arrived in El Alto and was incarcerated in a police facility around 5:00 AM June 3.

Who is Roberto Lenin Sandoval Lopez?

13. (SBU) Early news reports mistakenly identified Sandoval as a high ranking official in Sabina Cuellar's campaign for prefect of Chuquisaca. (Note: Cuellar is the opposition Chuquisaca Inter-Institutional Committee's candidate for the June 29 prefect election. Polling suggests Cuellar will easily defeat the MAS candidate Walter Valda. End Note). News reports state that Sandoval is a member of the Chuquisaca Youth Consciousness Movement, a group that supports the restoration of Sucre as the seat of Bolivia's executive and legislative branches. Government officials argue Sandoval has a long police record and state the police has intelligence that connects him to a 1997 fraud case and an attempted homicide in 1995. Our sources tell us that Sandoval may indeed have been involved in fraud schemes in both Beni and La Paz departments (states).

Human Rights Ombudsman Speaks Out

14. (SBU) The detention has been declared arbitrary, illegal, and unconstitutional by not only pro-Sucre groups but also by Bolivia's Human Rights Ombudsman Waldo Albarracin. Albarracin, who himself was abducted by police in 1997, reflected on Sandoval's detention, stating "No one can be put into a (police) vehicle without a formal order against them. . ." Albarracin's delegate in Sucre Ximena Davalos told Emboff that Sandoval's detention was "illegal and arbitrary." (Comment: Both Albarracin and Davalos are considered at least politically sympathetic to the Morales government, so their statements indicate how egregious an error Sandoval's arrest was. End Comment).

The Government Responds

15. (SBU) Morales administration officials appeared to initially deny any government involvement in Sandoval's abduction. The morning of June 2, President Morales' official Chuquisaca delegate (a position the President created) Jose Lambertin rejected claims the government was responsible Sandoval's detention. But by nightfall Minister of Government Alfredo Rada acknowledged that Sandoval was detained by members of a police intelligence unit.

16. (SBU) In explaining the reasons for Sandoval's detention, Rada said, "In the next few hours a criminal complaint of sedition, contempt, terrorism, organized crime, and attempted murder of high government officials will be formalized." Rada remarked that Sandoval's detention was linked to his participation in recent anti-government events in Sucre. On May 24 anti-government groups prevented President Morales' visit to the city. A group of young Sucre residents surrounded pro-government indigenous supporters and forced them to kneel, shirtless, in Sucre's main plaza. Some of the youth shouted racist epithets and profanities at the kneeling group. On May 6, Minister of Justice Celima Torrico and Minister of Defense Walker San Miguel had to flee Sucre amidst insults and threats of violence. Rada also stated

that the government might arrest/detain additional people involved in the events.

¶7. (SBU) On June 3, following a wave of statements condemning the arrests, the Vice Minister for Justice Walter Chavez stated that Sandoval's civil rights would be respected. However, Chavez also argued that "We presume that it (the government) behaved with prudence, following the law, as explained by the Minister of Government."

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Arbitrary Arrest: Part of Evo's Intimidation Plan?
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¶8. (C) Many senior members of the pro-Chuquisaca movement have spoken out against Sandoval's detention, arguing it is part of a government plan to intimidate them. A Constituent Assembly member who represents Sucre told Emboff that Sandoval's arrest is part of the government's "psychological warfare" against his city. Sucre's Secretary General Duran told Emboff that Sandoval's arrest coupled with numerous other actions is an attempt by the government to try to "break the morale of the population." City Council President Fidel Herrera called the move the latest in a series of acts designed to create "a wave of violence before the prefecture election."

¶9. (C) Sucre Mayor Aydee Nava, who was scheduled to meet the Ambassador June 4, explained to Emboff she was calling off her visit to the Embassy for fear of being attacked in La Paz and El Alto. Several pro-Evo groups in El Alto have put Nava on a list of "traitors of the state" who should be immediately prosecuted and incarcerated. Some 19 other people appear on the list, most are high-level officials in the Sucre government including City Council President Herrera, and Secretary General Duran. Nava told Emboff that she receives almost daily threats, citing the September 10 Ponchos Rojos attack on her house and children as but one example.

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Comment
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¶10. (C) While Roberto Sandoval is likely no angel, his arbitrary and illegal arrest has many in Sucre quite concerned. Minister Rada's comment that there may be more arrests has given residents of Sucre, and other opposition regions, reason for concern. When in January 1997 Waldo Albarracin was abducted, tortured, and later discovered in a police jail cell with serious wounds all over his body, the Bolivian chief of police was fired within 48 hours. So far there is no indication that any high-ranking officials will lose their jobs over the Sandoval detention. Even if Sandoval proves to be one of the May 24 ring-leaders, government officials will still have to explain why they chose to resort to arbitrary arrest and detention rather than follow the law. End Comment.
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